IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

Bail Appl..No. 3472 of 2007()

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CC.662/2004 of J.M.F.C.-II,ATTINGAL
CRIME NO.206/2002 OF KILIMANOOR POLICE STATION

PETITIONER:

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VIJAYAN,S/O.SHEKHARAN THAMPI,ASHA BHAVAN
OONAMKALLU,VELLALOOR VILLAGE,
THIRUVANANTHAURAM DISTRICT.

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.C
SRI.MANU V.

RESPONDENTS:

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1. STATE OF KERALA REP.BY ITS PUBLIC
PROSECUTOR AT HIGH COURT OF KERALA,
ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
KILIMANOOR POLICE STATION,THIRUVANANTHAPURAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

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**Bail Application No.3472/2007**

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**DATED: 08-6-2007**

**O R D E R**

Petitioner who is the second accused in Crime No. 206/2002 of Kilimanoor Police Station for offences punishable under Sections 354, 294(b) and 506(ii) read with section 34 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. No. 662/2004 on the file of the J.F.C.M II, Attingal non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance and also after considering the contention of the petitioner that the first accused in the case has

been acquitted. Until such disposal, warrants, if any pending against the petitioner shall not be executed.

With the above observation, this application is disposed of.

**V.RAMKUMAR, JUDGE.**

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